



REMARKS

Claims 3, 4, 5, 10, 16 and 17 were rejected only under 35 U.S.C. § 112 because of the term "cholesterol" therein. Claim 18 was not so rejected, but this must have been an oversight because claim 18 also used this term by virtue of its stemming from claim 16 which did use the term. The § 112 rejection has been overcome by adding to the new parent claims the definition of cholesterol as taken from the specification. Thus, with this amendment to claim 3, now appearing as new independent claim 21, all claims dependent from new claim 21 should be free from this § 112 rejection, and hence allowable for the same reason that new claim 21 is allowable.

Method claim 16, rejected only under § 112 has been similarly amended, as new claim 25, and is now deemed to be allowable as are claims 17 and 18 (new claims 26 and 27) which depend therefrom.

Original claim 20 has been amended to avoid the objection raised by the Examiner as to an improper multi-dependent claim, and now includes the same change as amended claim 16, now new claim 25.

By way of summary, all claims originally rejected under only 35 U.S.C. § 112 have been amended in regard to the term

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cholesterol, and should be allowable. Claims rejected over the art have been cancelled without prejudice. Some original dependent claims rejected over the art are still in the case as dependent from now allowable claims. A summary of the old and new claims and their relationship, if any, appear below:

Original Claims

(1.) Cancelled

DL (2.) Cancelled - now new claim 30 depending from new claim 21.

→ 3. Rewritten in independent form with § 112 correction - now new claim 21.

→ 4. Rewritten as new claim 22 depending from new claim 21.

→ 5. Rewritten as new claim 23 depending from new claim 21.

(6.) Cancelled

(7.) Cancelled

(8.) Cancelled

(9.) Cancelled

→ 10. Rewritten as new claim 24 depending from new claim 21.

(11). Rewritten as new claim 31 depending from new claim
21.

(12). Rewritten as new claim 32 depending from new claim
21.

(13). Cancelled

(14). Rewritten as new claim 33 depending from new claim
21.

(15). Cancelled

→ 16. Rewritten in independent form with § 112
correction - now new claim 25.

→ 17. Rewritten as new claim 26 depending from new claim
25.

→ 18. Rewritten as new claim 27 depending from new claim
26.

(19). Cancelled

→ 20. Cancelled but corrected and rewritten as new claim
28 with § 112 correction included.

New Claims

21. Corrected original claim 3
22. Corrected original claim 4
23. Corrected original claim 5
24. Corrected original claim 10

25. Corrected original claim 16
26. Corrected original claim 17
27. Corrected original claim 18
28. Corrected original claim 20
29. Corrected original claim 2
30. Corrected original claim 11
31. Corrected original claim 12
32. Corrected original claim 14

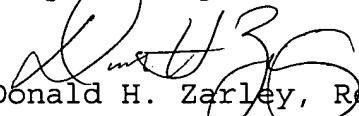
In conclusion, the claims including cholesterol have not been rejected over the art. All claims using this term have been corrected through changes to the parent claims to define the meaning of the term as set forth at page 5 of the specification. Thus these claims should now be allowable.

A favorable action on the claims is requested.

If there are any additional fees due in connection with this amendment; consider this a request for any fees inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,


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AMENDMENT - VERSION WITH MARKINGS
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In the Claims

Please cancel claims 1-20 without prejudice.

Please add new claims 21-32 as follows:

21. (New)

A reversible cosmetic composition selected from the group comprising a thermochromic composition, a photochromic composition, and a mixture thereof, whereby the composition comprises a thermoset resin, a cholesterol, water, and a dye, and wherein the cholesterol comprises C₂₇ H₁₅ OH as well as one or more of straight chain monobasic carboxylic acids and associated fatty acids from edible fats and oils.

22. (New)

A thermochromic composition according to claim 21 wherein the thermoset resin is selected from one or more of the group consisting of melamine-formaldehyde, urea formaldehyde, and urethane resins.

23. (New)

A thermochromic composition according to claim 21 whereby the composition comprises from about 20-40% by

weight thermoset resin, from about 15-45% by weight cholesterol, from about 15-30% by weight water, and from about 10-30% by weight dye.

24. (New)

A reversible cosmetic composition selected from the group comprising a thermochromic composition, a photochromic composition, and a mixture thereof, wherein the thermochromic composition and the photochromic composition comprise a thermostat resin, cholesterol, water, dye, a benzene, and a binder, and wherein the cholesterol comprises C₂₇ H₁₅ OH as well as one or more of straight chain monobasic carboxylic acids and associated fatty acids from edible fats and oils.

25. (New)

A method of manufacturing a reversible thermochromic cosmetic composition comprising:
combining a thermoset resin, cholesterol, water, and dye to form thermochromic cells; and
heating the cells for a time period sufficient to cure the resin,
wherein the cholesterol comprises C₂₇ H₁₅ OH as well as one or more of straight chain monobasic carboxylic acids and associated fatty acids from edible fats and oils.

26. (New)

A method according to claim 25 further including the step of adding the cells to a cosmetically acceptable carrier.

27. (New)

A method according to claim 26 whereby the cells are added to the cosmetically acceptable carrier in a concentration of about 10-30% by weight.

28. (New)

A method of manufacturing a reversible thermochromic/photochromic composition comprising: combining thermochromic cells resulting from combining a thermoset resin, cholesterol, water, and dye with the photochromic cells resulting from combining a benzene with a binder to form photochromic cells, wherein the cholesterol comprises C₂₇ H₁₅ OH as well as one or more of straight chain monobasic carboxylic acids and associated fatty acids from edible fats and oils.

29. (New)

The composition of claim 21 wherein the composition further includes a water-based, cosmetically acceptable carrier.

30. (New)

A composition according to claim 21 that is shelf-stable for a time period of at least two years.

31. (New)

A composition according to claim 21 further including one or more ingredients selected from the group consisting of a light stabilizer, a buffer, a thermoset resin, and an auxiliary.

32. (New)

A composition according to claim 21 having a pH in the range of about 6.8 to 7.2.